UNITED STATES DISTRICT COURT
For the Northern District of California

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UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

INOCENCIO PEREZ,   No. C 10-05675 LB

                         Plaintiff,   **ORDER TRANSFERRING CASE TO**
        v.   **SAN JOSE DIVISION**

CITIMORTGAGE INC, *et al.*,

                         Defendants.
_____/

On December 14, 2010, Plaintiff, who is *pro se*, filed a complaint to "Quiet Title/Lis Pendens."

Complaint, ECF No. 1. The complaint also alleges that Defendants violated the Truth in Lending

Act. *Id.* All of Plaintiff's claims concern a mortgage for real property located at 10330 Athene

Drive, San Jose, California 95127. *Id.* at 1.

Under Civil Local Rule 3-2(c), a "civil action arises in the county in which a substantial part of

the events or omissions which give rise to the claim occurred or in which a substantial part of the

property that is the subject of the action is situated." Furthermore, a civil action may be transferred

upon motion of the parties or by the court if (1) the action was not assigned to the proper division or

(2) if the convenience of the parties and witnesses or the interests of justice will be served by

transferring it. Civil L.R. 3-2(h).

Though Plaintiff's complaint does not identify the basis for assignment of this case to a particular

division as required by Civil Local Rule 3-5(b), the property that is the subject of this suit is located

in Santa Clara County. Complaint, ECF No. 1 at 1 ("This controversy is over Five Hundred

1 Thousand Dollars and it also involves a real property located at 10330 Athene Dr, San Jose, CA

2 95127"). Moreover, this action does not fall within the categories of cases subject to district-wide

3 assignment. Civ. L.R. 3-2(c). As a result, this case shall be reassigned to the San Jose Division.

4 **IT IS SO ORDERED.**

5 Dated: January 5, 2011

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   LAUREL BEELER
   United States Magistrate Judge

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UNITED STATES DISTRICT COURT
For the Northern District of California

C 10-05675
ORDER TRANSFERRING CASE TO SAN JOSE DIVISION